

SPRINGFIELD POLICE DEPARTMENT

Standard Operating Guideline

Effective Date: 01/23/2020	Supersedes Policy Dated: 10/06/2015	Rescinds:	SOG Number: 405.9
Accreditation Index: 1.2.9, 61.1.7, 81.2.4 ¹			
Part Title: Operations		Chapter Title: Traffic Operations	
Chief of Police:			

Stopping and Approaching Traffic Violators

I Policy

It is the policy of this department to establish guidelines for stopping and approaching traffic violators.

The practice of using racial, age, gender or any other socioeconomic characteristic as the sole determinant for initiating a car stop is illegal and will not be tolerated in the Springfield Police Department.

All officers shall have clear, articulable and lawful reasonable suspicion independent of *race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation* to justify any car stop for either traffic or criminal investigation purposes and upon making such car stops shall conduct investigations and enforce the law fairly and equally. All stops, searches, seizures, and arrests shall be conducted and reported in accordance with the law and with the regulations of this Police Department. Officers shall comply with all statutes on the reporting of traffic stop information (590.650 RSMo) promptly and accurately.

II Definitions

III Procedure

- 1 The stopping and approaching of persons observed violating traffic laws is an integral part of the day-to-day operation of Uniform Operations Bureau personnel. No vehicle stop should be considered to be routine and there are inherent dangers in every vehicle stop.

¹ 5th edition removed form CALEA standard references throughout the document, Policy Change Order 19-018.

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- 2 VEHICLE STOP OPERATIONS (Also refer to SOG 103.3, Bias Based Policing)
 - 2.1 Nothing in this directive precludes an officer from stopping a vehicle to offer assistance, (e.g. to inform the driver that an item was left on the roof or a substance is leaking from the car).
 - 2.2 Officers are prohibited from stopping, detaining, searching or arresting anyone based solely on the person's *race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation*. (CALEA 1.2.9 (a))
 - 2.3 Officers are prohibited from routinely and knowingly stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law. (590.650 RSMo.) (CALEA 1.2.9 (a))

- 3 REVIEW OF VEHICLE STOP PRACTICES ² (CALEA 1.2.9 (c))
 - 3.1 Annually, the Attorney General for the State of Missouri will publish a report on vehicle stops for the Springfield Police Department.
 - 3.2 The Chief of Police, as required by state law, in consultation with Bureau Commanders will determine if officers are exhibiting a pattern of disproportionate traffic stop practices.
 - 3.3 If an officer's traffic stop data suggests a disparity in police action, the Chief of Police shall order an investigative review.
 - 3.4 Any officer found to have engaged in race-based stops shall receive appropriate counseling and training within 90 days of the review.

- 4 DUTY TO ACT AND REPORT
 - 4.1 Officers shall perform their required duties and shall not refrain from conducting lawful traffic stops only because they wish to avoid reporting requirements under this directive.
 - 4.2 Officers are required to accurately report all stops as required by law.
 - 4.3 Supervisors shall ensure that officers comply with the policies and procedures in this directive.

- 5 PURPOSE OF VIOLATOR STOPS (CALEA 61.1.7(a))
 - 5.1 Departmental personnel stop traffic violators as part of the department's overall traffic enforcement efforts. Violators are stopped and contacted for a number of reasons.
 - 5.2 The primary purpose for all traffic enforcement activity is to gain voluntary compliance with traffic and other laws.
 - 5.3 To warn or cite violators when appropriate.
 - 5.4 To locate and apprehend suspects.
 - 5.5 To act as a deterrent to other motorists.

2 Section 3 updated regarding disparate traffic stops investigative review, per Policy Change Order 19-018.

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6 LOCATION OF VIOLATOR STOPS (CALEA 61.1.7(a))

6.1 Personnel must consider a number of issues concerning the location for making a vehicle stop for a traffic violation.

6.1.1 When stopping a violator personnel should consider:

6.1.1(a) Traffic congestion;

6.1.1(b) Availability of a back-up officer, if needed;

6.1.1(c) The roadway configuration - hill, curve, width, shoulder size, etc.

6.1.2 Personnel may choose to delay a stop until a more suitable location is found.

7 RADIO TRAFFIC (CALEA 61.1.7(a), and 81.2.4(a))

7.1 For officer safety reasons, personnel should provide information to communications about all traffic violator stops.

7.1.1 If possible, the following information should be relayed prior to initiating the stop:

7.1.1(a) Planned location of the stop;

7.1.1(b) License number of violator's vehicle;

7.1.1(c) Vehicle description;

7.1.1(d) Reason for the stop;

7.1.1(e) Number and basic description of occupants.

8 STOPPING THE VIOLATOR (CALEA 61.1.7(a))

8.1 Personnel may use a number of techniques to gain the attention of violators and to get them to come to a stop.

8.1.1 These include:

8.1.1(a) Activate the police vehicle's emergency lights;

8.1.1(b) Sound the police vehicle's horn;

8.1.1(c) Shine the spotlight into the violator's vehicle;

8.1.1(d) Manually activate the police vehicle's siren;

8.1.1(e) Full operation of the siren.

9 POSITIONING OF POLICE VEHICLE (CALEA 61.1.7(a))

9.1 Personnel should position their police vehicle behind and in relation to the violator's vehicle in such a manner that affords the greatest amount of safety for the personnel and the violator.

9.2 There are two basic methods of positioning the police vehicle:

9.2.1 The offset method has the police vehicle, other than a motorcycle, parallel with the violator's vehicle but offset 2 to 3 feet to the left on a traffic stop where the violator has pulled to the right side of the roadway.

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9.2.2 The angle method has the police vehicle, other than a motorcycle, at an angle with the front of the police vehicle protruding out to the left.

9.3 The police vehicle should be approximately 15 feet to the rear of the violator's vehicle.

10 PRIOR TO APPROACHING THE VIOLATOR'S VEHICLE (CALEA 61.1.7(a))

10.1 Personnel should not rush their approach to contact the violator.

10.2 A number of safety precautions should be taken.

10.2.1 Watch for furtive movements within the vehicle by the violator and/or occupants.

10.2.2 Watch for objects being thrown out of the vehicle.

10.2.3 Be cautious of any sudden movements of the violator's vehicle.

10.2.4 Be alert to other traffic.

10.2.5 Update communications with any additional information. (CALEA 81.2.4(a))

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12 CONTACTING THE VIOLATOR (CALEA 61.1.7(a))

12.1 Precautions should also be taken once personnel have reached the violator.

[REDACTED]

13 CONVERSATION WITH THE VIOLATOR (CALEA 61.1.7(a))

13.1 The majority of violators contacted by police personnel are ordinary citizens who may form their entire opinion of the police department from one encounter on a traffic stop. Personnel should keep this and all safety precautions in mind during a traffic stop.

- 13.1.1 Explain the reason for the traffic stop to the violator.
- 13.1.2 Do not lecture or "talk down" to the violator.
- 13.1.3 Do not argue with a violator.

14 REPORTING VEHICLE STOPS

14.1 In addition to any routine Offense or Incident reporting, officers shall complete the Vehicle Stop Report for any stop made for purposes of enforcement of state motor vehicle statutes or municipal traffic ordinances; either for moving violations or equipment violations.

- 14.1.1 Hazardous moving violations
- 14.1.2 Equipment violations
- 14.1.3 License and registration violations
- 14.1.4 Criminal stops, and investigative stops, or for reasons other than alleged motor vehicle violations.

14.2 Officers shall complete the Vehicle Stop Report via laptop computer in their cars.

14.3 Research and Development shall tabulate data from submitted Vehicle Stop Reports and shall produce administrative data reports for submission by the Chief of Police to the Office of Attorney General, State of Missouri as required by law.

15 RELEASE TO PUBLIC

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- 15.1 Access to specific, individualized Vehicle Stop Report information by the public shall only be authorized by subpoena or Open Records request following review and advice by the Law Department.
- 15.2 Release of vehicle stop data collected on the Vehicle Stop Report shall be authorized by the Chief of Police.

16 ACTION TAKEN ON VIOLATIONS

- 16.1 In most situations, police personnel may use their discretion to determine the best method to deal with a violator. The goal of "voluntary compliance" should be kept in mind.
 - 16.1.1 Personnel may issue a verbal warning to a violator for a minor offense.
 - 16.1.2 Personnel may issue the violator a summons for the offense.
 - 16.1.3 Personnel may arrest certain violators.

17 WANTED AND DRIVING RECORD CHECKS (CALEA 81.2.4(a))

- 17.1 Personnel should utilize their Mobile Data Terminal (MDT) to complete wanted and/or driving history checks on violators. When the MDT is unavailable, or for other reasons such as officer safety, they may request that communications complete the checks for them.
 - 17.1.1 Due to a number of situations this is not always practical.
 - 17.1.1(a) Personnel should use their own judgment in requesting these checks.
 - 17.1.2 Do not request these checks while in a position where the violator may overhear the radio traffic.
 - 17.1.3 Personnel should consider the nature of the violation, the actions of violator and the amount of time required to complete these checks when requesting them.
 - 17.1.4 These checks must be completed if a violator is arrested.

18 ISSUING A CITATION

- 18.1 When personnel issues a citation to a violator a number of steps must be completed prior to the release of the violator.
 - 18.1.1 Explain the charge for which the citation was issued.
 - 18.1.2 Summons the violator to the appropriate court (Municipal or Associate Circuit) and explain the court location to the violator.³
 - 18.1.3 Assign the proper court date and time to the violator.
 - 18.1.3(a) Municipal Court violations should be cited into court within two weeks of the violation and should be assigned a court date on a Monday, Wednesday or Friday at 0900 hours.

³ Section 18.1.2 revised, reference to State Fine Collection Center deleted, Policy Change Order 19-018.

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18.1.3(b) Associate Circuit violations should be cited into court at least 60 days from the date of the violation and should be assigned a court date on any Monday, Tuesday, Wednesday, Thursday, or Friday at 0930 hours. ⁴

18.1.4 Officer should explain available alternatives to the violator.

19 COMPLETING A VIOLATOR STOP

19.1 Once the violator has been warned or a summons has been issued, the officer must continue to be cautious until the violator has left the location.

20 STOPS AT NIGHT (CALEA 61.1.7(b))

20.1 It is important during all violator stops to be able to see the actions and movements of the occupants of the stopped vehicle. This becomes more difficult during nighttime hours.

[REDACTED]

21 HIGH RISK STOPS (CALEA 61.1.7(b))

21.1 For a number of reasons, violator stops can become high-risk stops. An impaired driver or vehicle occupants who are wanted for the commission of some crime may pose an elevated threat to the safety of the officer.

[REDACTED]

⁴ Section 18.1.3(c) deleted, Fine Collection Center no longer used, Policy Change Order 19-018.

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[REDACTED]

22 FELONY VEHICLE STOPS (CALEA 61.1.7(b))

22.1 Officers who have reason to believe a suspect(s) is armed, has committed a violent felony or possesses a significant threat to the officer shall conduct a felony vehicle stop on the suspects.

[REDACTED]

23 ROLE OF THE BACKUP OFFICER

23.1 The officer initiating a traffic stop may use their discretion on requesting a back-up officer. There are some general guidelines the back-up officer should follow:

23.1.1 With a two-officer initial unit the second officer should act as the back-up officer.

23.1.1(a) The second officer:

23.1.1(a.1) Should exit the police vehicle but remain with it in a position of cover;

23.1.1(a.2) May elect to advance to the area of the right side of the violator's vehicle as the primary officer makes initial contact with the driver.

23.1.2 When a second unit is used as a back-up, the officer(s) in this unit should follow some general guidelines.

23.1.2(a) If the second unit approaches from the rear the officer in the second unit should turn off the police vehicle's headlights so as not to silhouette the initial officer.

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23.1.2(b) The second unit should normally be partially offset to the right of the primary unit.

23.1.2(c) The second unit should follow the directions of the primary unit or assume the back-up role near the right rear of the stopped vehicle.

IV Attachments